

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TIMOTHY COLEMAN

Plaintiff,

v.

DANE COUNTY SHERIFFS,

Defendants.

ORDER

13-cv-581-bbc

In an order dated October 8, 2013, I dismissed plaintiff Timothy Coleman's proposed complaint because it violated Fed. R. Civ. P. 8, and gave him until October 29, 2013 to file an amended complaint. I told plaintiff that if he failed to respond by October 29, I would dismiss this case for failure to state a claim upon which relief may be granted and issue a strike in accordance with 28 U.S.C. § 1915(g). Paul v. Marberry, 658 F.3d 702, 704-06 (7th Cir. 2011) (court should give strike for failure to correct pleading that violates Rule 8). Plaintiff has not responded to the court's October 8 order. Accordingly, this case will be dismissed.

ORDER

IT IS ORDERED that:

1. This case is DISMISSED for plaintiff Timothy Coleman's failure to state a claim upon which relief may be granted.
2. A strike will be recorded in accordance with 28 U.S.C. § 1915(g).
3. Plaintiff is obligated to pay the unpaid balance of his filing fee in monthly payments as described in 28 U.S.C. § 1915(b)(2). The clerk of court is directed to send a letter to the warden of plaintiff's institution informing the warden of the obligation under Lucien v. DeTella, 141 F.3d 773 (7th Cir. 1998), to deduct payments from plaintiff's trust fund account until the filing fee has been paid in full.
4. The clerk of court is directed to enter judgment in favor of defendants and close this case.

Entered this 15th day of November, 2013.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge